

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the outstanding grounds of rejection are respectfully requested in light of the above amendments and the remarks that follow.

The Examiner has rejected claims 1-8 under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Beck (U.S. 5,196,244).

According to the Examiner, Beck discloses a bag comprising a polymer sheet 2 having four marginal edges, each covered with double-sided adhesive tape, referring to Figures 1, 2, 4 and 5. The Examiner further contends that Beck discloses double-sided tape to be applied around the periphery, therefore covering each marginal edge. The Examiner concludes that Beck is capable of performing the stated task because the liquid impervious layer 2 would accomplish a barrier from any leakage from a bagged stator. The Examiner acknowledges that Beck does not disclose using the bag for a stator bar leak test, but the Examiner contends that it would have been obvious to one of ordinary skill in the art to use the bag of Beck for that purpose. Finally, the Examiner regards the various dimensional and composition limitation in claims 2-8 as obvious to a person of ordinary skill in the art.

The '244 patent to Beck discloses a disposable tissue trap with an aseptic barrier. Two embodiments are disclosed: the first in Figures 1 and 2 is in the form of a facial tissue where a thin plastic layer 2 is incorporated between outer layers of tissue and held in place by, for example, embossing.

In the second embodiment, the plastic barrier material 2 is formed in the shape of a mitten-like bag 3, and tissue 1 is affixed to at least a portion of the outside of the barrier layer 2.

In column 6, Beck discloses that the layers of material can be adhered to one another by the use of an embossing technique (as in the Figure 1, 2 embodiment), the use of an adhesive material, the use of a double-sided tape around the periphery of each layer to hold them together or bonding of the materials with heat, a solid and/or pressure.

Considering first the embodiment disclosed in Figures 1 and 2 of Beck, if double-sided adhesive tape is utilized to adhere the tissue layers 1 to the intermediate plastic layer 2, it is readily apparent that the tissue is not in fact capable of then being folded over a stator bar end and sealed to itself and to the stator bar end along the marginal edges via the strips of double-sided adhesive tape. In other words, if the double-sided adhesive is utilized to secure the tissue layers 1 to the intermediate layer 2, there will be no exposed side of tape available to permit folding the tissue and sealing to itself as required by both independent claims 1 and 8 (of course, a facial tissue is not suitable to wrap a stator bar end in any event).

Considering now the bag embodiment disclosed in Figures 3-6, note that the inner plastic layer 2 is initially formed as a bag and the facial tissue 3 is affixed to the outside surfaces of the interior plastic layer. It is readily appreciated, therefore, that the bag in Figures 3, 4 or 5 of Beck is not formed by folding the material back on itself, causing it to be sealed not only to itself but also to another object (in this case, a stator bar end) as

required by the claims of this application. Note that the bag in Figures 3-6 is initially formed of plastic material by some undisclosed means. The double-sided tape is used only to secure the outer layers of tissue 1 to the already formed plastic bag. Here again, there is no exposed adhesive capable of sealing to an object such as a stator bar end.

Since all language in the claim must be given weight, and since the claims require that the sheet be adapted to be folded over a stator bar end and sealed to itself and to the stator bar end along the marginal edges via the strips of double-sided adhesive tape, it is readily apparent that Beck does not anticipate the subject matter of claims 1 and 8 (or claims dependent thereon) since the disposable tissue trap of Beck is in fact not capable of being folded in the manner required by the claims of this application.

The Examiner has also rejected claims 1-8 under 35 U.S.C. 103 as unpatentable over the acknowledged prior art in view of Beck. According to the Examiner, the acknowledged prior art in the specification admits that various plastic or polymer bags are created and sealed with duct tape along the marginal edges. The Examiner takes official notice that it would have been obvious to one of ordinary skill in the art at the time the invention was made to substitute double-sided adhesive tape for the duct tape, (presumably relying upon Beck for its disclosure of double-sided adhesive tape).

While it is indeed acknowledged in the specification that duct tape has been used along the periphery to fabricate tracer gas bags on site, there is nothing in that acknowledgement, with or without further consideration of Beck, that would suggest the utilization of double-sided adhesive tape about the periphery of a polymer sheet such that

the sheet is adapted to be folded over a stator bar end and sealed to itself and to the stator bar end along the marginal edges via the strips of double-sided adhesive tape. The rejection is here clearly based on the utilization of impermissible hindsight gained from applicant's own disclosure. Further in this regard, double-sided adhesive tape is not always a simple substitute for single-sided adhesive tape. Note, for example, that the use of single-sided duct tape to seal the peripheral edges of a bag does not adapt that bag to be wrapped about a stator bar end and sealed to itself and to the stator bar end as required by the claims of this application.

The Examiner has also rejected claims 1-8 under 35 U.S.C. 103 as unpatentable over Klawitter (U.S. 4,918,834) in view of Beck.

Klawitter discloses a protective bag for a stator coil during engine repairs. According to the Examiner, it would have been obvious to utilize double-sided adhesive to secure to the canvas panels of the protective bag or envelope of Klawitter.

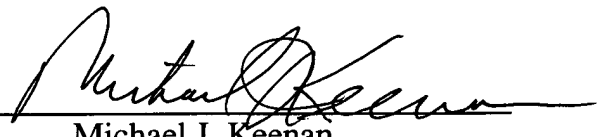
Even if the envelope or bag in Klawitter were altered to utilize double-sided adhesive tape, the end result is simply an open bag that is capable of receiving a stator coil. There is no teaching in Klawitter, with or without further consideration of Beck, of providing a polymer sheet with four marginal edges covered with a strip of double-sided adhesive tape such that the sheet is adapted to be folded over a stator bar end and sealed to itself and to the stator bar end along the marginal edges via strips of double-sided adhesive tape as required by independent claims 1 and 8. Clearly, any suggested modification of the prior art to provide a polymer sheet that is adapted to perform the

function as required by the independent claims of this application originates with the instant disclosure and, as the Examiner well knows, obviousness is to be considered at the time the invention was made, without having read applicant's own disclosure as a guide for piecing together the prior art.

It is respectfully submitted that the amendments to claims 1 and 8 place the application in condition for immediate allowance, and early passage to issue is requested. In this regard, the amendments to claims 1 and 8 were made to further distinguish over the prior art and particularly in order to respond to the Examiner's comments in paragraph 6 on page 4 of the Official Action in the section entitled "Response To Arguments." As such, applicant requests entry of the proposed amendment pursuant to 37 CFR 1.116(b) and passage to issue of the application. In the event, however, any small matters remain outstanding, the Examiner is encouraged to telephone the undersigned so that the prosecution of this application can be expeditiously concluded.

Respectfully submitted,

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